

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

ELAINE L. CHAO,
Secretary of Labor,
U. S. Department of Labor,

Plaintiff,

v.

THE MONEY CENTRE, INC.,

Defendants.

FILE NO. 3:03CV89-FDW

ORDER AUTHORIZING DISTRIBUTION OF ASSETS

Pursuant to the August 17, 2004 Order of this Court, Jeanne Barnes Bryant was appointed as Independent Fiduciary (hereafter referred to as "Independent Fiduciary") for The Money Center Health and Welfare Fund a.k.a. Money Centre Benefit Plan (hereafter referred to as "the Plan"), to carry out the terms of the Order.. The Independent Fiduciary filed a Plan of Distribution on October 25, 2006, and moved for its approval. Notice was given to all participants of the Plan of Distribution at the time of its filing with the Court. No response or objection has been received by the Independent Fiduciary or the Court. On December 18, 2006, this Court approved the Plan of Distribution filed by the Independent Fiduciary.

Pursuant to the December 18, 2006 Order, the Independent Fiduciary issued Proof of Claim Forms to eligible participants of the Plan. These participants had until January 30, 2007 to submit completed Proof of Claim Forms certifying their participation in the Plan. Of the 100 participants eligible to receive a Proof of Claim Form, thirty-five (35) returned their forms, claiming a total of \$78,484.71. No objection to the amounts determined to be distributable were received.

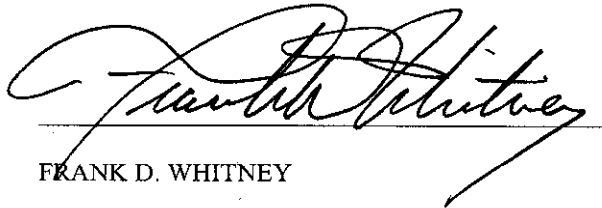
Before the Court is the Independent Fiduciary's motion seeking authorization to distribute assets of the plan. According to the Independent Fiduciary, had all 100 eligible participants submitted their Proof

of Claim forms, current plan assets would have allowed a payment of \$0.26 on the dollar of total adjudicated claims payable. However, only thirty-five (35) eligible participants submitted claims. Therefore there are sufficient plan assets to pay 100% of the total adjudicated claimed amount. In her motion, the Independent Fiduciary has stated she holds net assets of \$88,553.45. She has proposed to reserve \$6,000.00 for final expenses, leaving \$82,553.45 in assets available for distribution. After payment of the claimed \$78,484.71 would leave a balance of \$4,068.74. The Independent Fiduciary has proposed to distribute this remaining amount equally among those thirty- five (35) participants who responded and filed a proof of claim.

The Court having considered the Independent Fiduciary's motion and exhibit thereto, and no objection having been received, the Court finds the Independent Fiduciary's motion reasonable, well taken, and in accordance with the Plan of Distribution approved by this Court.

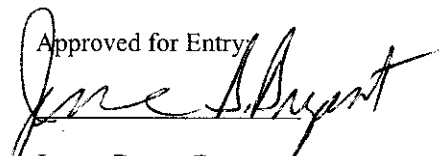
Therefore, the Independent Fiduciary is hereby AUTHORIZED to distribute the assets of the Plan as proposed by the Independent Fiduciary and as set forth herein. Upon completion of this distribution, the Independent Fiduciary is directed to file a final accounting with the Court advising as to the distribution and asking for discharge after performance of all responsibilities.

SO ORDERED, this 3rd day of April, 2007.



FRANK D. WHITNEY

UNITED STATES DISTRICT JUDGE

Approved for Entry

Jeanne Barnes Bryant